

Having read a few of the comments filed on behalf of those doing telemarketing, I would like to give my experience (on the receiving end) of the (in)effectiveness of the DMA for providing any level of protection (a solution apparently advocated by the Newspaper Association of America comment) and predictive dialers.

With respect to the DMA, I have registered my preference with the DMA not to be a recipient of direct marketing materials or telemarketing calls. There has been no observable result from registering this preference with the DMA. It seems clear that the DMA is, at best, ineffective and, at worst, the enemy, not an ally.

Our day and our dinner are repeatedly interrupted by what appear to be predictive dialer calls--the line is dead when we answer the phone. Clearly the DMA registration has had no effect on this activity.

I strongly believe that the DMA should NOT be part of any solution adopted; the conflict of interest is much too obvious.

I also believe that predictive dialers should be prohibited. They are solely a mechanism for maximizing the profit of telemarketers while maximizing the inconvenience and frustration of the public.

On a similar subject, so-called "war-dialing" (dialing perhaps millions of numbers just to sense which ones have a fax tone) should be prohibited both because it results in the same inconvenience and frustration when on a voice line and, apparently, is on for the purpose of sending unsolicited faxes in violation of the TCPA.

In summary, there is currently no effective way (in my state, at least) to not receive unsolicited telemarketing calls, prerecorded telemarketing calls, unsolicited commercial faxes, or unsolicited commercial e-mail. From reading some of the comments already filed, it sounds like many from Indiana feel the law there gives them some measure of protection. It appears this should be the model for any national law and that states should be permitted to have stricter laws (as the TCPA currently allows).